

11.16.020 Disposal of wastes - Connection with sewer. The regulations are as follows:

- (1) **DEPOSIT OF WASTES.** It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste. (Ord. 1988-36 S2a, 1988; Ord. 557 S5, 1964)
- (2) **STORMWATER DISCHARGE.** No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, stormwaters, surface water, ground water, roof run-off, subsurface drainage, cooling water, unpolluted water, or unpolluted industrial process water. The City shall require the removal of unpolluted waters from any wastewater collection or treatment facility. (Ord 1988-36 S2b, 1988)
- (3) **CAPACITY.** Stormwater, surface water, ground water, roof run-off, subsurface drainage, cooling water, unpolluted water or unpolluted industrial process water may be admitted to storm sewers which have adequate capacity for their accommodation. No person shall use such sewers, however, without the specific permission of the City. No new connection shall be made to any sanitary or storm sewer unless there is capacity available in all downstream sewers, lift stations, force mains, and the sewage treatment plant including capacity for BOD and suspended solids. (Ord. 1988-36 S2c, 1988)
- (4) **DISCHARGE OF POLLUTED WATERS.** No person shall place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the jurisdiction of the City any wastewater or other polluted waters except where suitable treatment has been provided in accordance with provisions of this ordinance and the NPDES Permit. (Ord. 1988-36 S2d, 1988; Ord. 1185 S1, 1984; Ord. 1151 S4.1, 1984)
- (5) **DISCHARGE TO NATURAL OUTLET.** No persons shall discharge or cause to be discharged to any natural outlet any wastewater or other polluted waters except where suitable treatment has been provided in accordance with provisions of this ordinance and the NPDES Permit. (Ord. 1988-36 S2e, 1988; Ord. 557 S5, 1964)
- (6) **PRIVATE DISPOSAL FACILITIES.** Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage. (Ord. 1988-36 S2f, 1988; Ord. 557 S5, 1964)
- (7) **CONNECTION WITH PUBLIC SEWER.** The owner of a house, commercial building, or and other building which:
 - (a) Is used for human occupancy, employment, or recreation;

- (b) Has, or is required to have, one or more garbage disposals, toilets, baths, showers, or other similar facilities; and
- (c) Is located on a lot or other parcel of property to which sanitary sewer is available,

shall, at his expense and within one hundred eighty (180) days of the date written notification is given that such sanitary sewer is available, connect such facilities to the sanitary sewer. Notification shall be sent by certified mail to the property owner at the address of the property. In the event the homeowner fails to accept said notification, personal service, or any other form of service as allowed by Indiana law, of said notice may be attempted. A homeowner may be required to hook up prior to one hundred eighty (180) days if it is determined by the City of Jasper that the current wastewater treatment system is failing or has failed or it presents a health hazard. Sanitary sewer shall be deemed to be available to a property owner when a structure or improvement producing sanitary sewage or waste located on the property owner's real estate is located within three hundred (300) feet of any collection line maintained as part of a public sanitary sewer system. In the event an owner fails to so connect, the City has the following rights and remedies:

- (d) The City may charge the owner or occupant the rates and charges that the owner or occupant would pay as though the connection was accomplished;
- (e) The City may enter the owner's premises and effect the connection at the owner's expense;
- (f) The City may obtain a court order directing the owner to comply;
- (g) The City may assess the owner a civil penalty of not more than \$100.00 per day that the owner is not in compliance; and
- (h) Any and all other rights and remedies which it has or may have under federal, state, or local law or regulation.

The City's use of any one remedy shall not be deemed an election of that remedy to the exclusion of any others. The City may use any, a combination of, or all of the remedies at its disposal in such order and with such frequency as the City, in its sole discretion, shall determine. (Ord. 2001-28, S1, June 27, 2001) (Ord. 2001-5, S1, Feb. 21, 2001) (Ord. 1997-40, Nov. 19, 1997; Ord. 1988-36, S2g, 1988; Ord. 1185 S1, Dec. 12, 1984; Ord. 557 S5, 1964)

11.16.030 Private disposal facilities. The regulations are as follows:

- (1) **AUTHORIZED.** Where a public sanitary sewer is not available under the provisions of Section 11.16.020(7), the building sewer shall be connected to a private sewage disposal system complying with the recommendations of the provisions of this article. (Ord. 1988-36 S3a, 1988)
- (2) **PERMIT FOR CONSTRUCTION OF PRIVATE SEWAGE DISPOSAL SYSTEM.** Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. A permit and inspection fee of Twenty Dollars (\$20.00) shall be paid to the City at the time the application is filed. (Ord. 1988-36 S3b, 1988)
- (3) **INSPECTION OF PRIVATE SEWAGE DISPOSAL SYSTEM.** A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Superintendent. (Ord. 1988-36 S3c, 1988)
- (4) **PRIVATE SYSTEM DESIGN.** The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State Board of Health. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than twenty thousand (20,000) square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet. (Ord. 1988-36 S3d, 1988)
- (5) **ABANDONMENT.** At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Subsection (1) of this section, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. (Ord. 1988-36 S3e, 1988; Ord. 557 S6, 1964)
- (6) **OPERATION AND MAINTENANCE.** The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city. (Ord. 1988-36 S3f, 1988; Ord. 557 S6, 1964)
- (7) **ADDITIONAL REQUIREMENTS.** No statement contained in this section shall be construed to interfere with any additional requirements

that may be imposed by the Health officer. (Ord. 1988-36 S3g, 1988; Ord. 557 S 6, 1964).

11.16.040 Permit to connect with public sewer. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk-Treasurer. (Ord. 1988-36 S4a, 1988; Ord. 557 S7(1), 1964).

11.16.050 Application for permit.

- (1) There shall be two (2) classes of building sewer permits:
 - (a) for residential and commercial service, and
 - (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the said City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Inspector. A permit and inspection fees of Twenty Dollars (\$20.00) for residential or commercial building sewer permit and Twenty Dollars (\$20.00) for an industrial building sewer permit shall be paid to the Clerk-Treasurer at the time the application is filed. (Ord. 1988-36 S4b, 1988)

11.16.051 Wastewater contribution permits.

- (1) General permits. All significant users proposing to connect to or to contribute to the POTW shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing significant Users connected to or contributing to the POTW shall obtain a Wastewater Contribution Permit within 180 days after the effective date of this ordinance.
- (2) Permit application. Users required to obtain a Wastewater Contribution Permit shall complete and file with the City, an application in the form prescribed by the City, and accompanied by a fee of \$150.00. Proposed new Users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:
 - (a) Name, address, and location, (if different from the address);

- (b) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1982, as amended;
- (c) Wastewater constituents and characteristics including but not limited to those mentioned in Section 2 of this Ordinance as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- (d) Time and duration of contribution;
- (e) Average daily and 3 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
- (f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by the size, location and elevation;
- (g) Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
- (h) Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O & M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards;
- (i) If additional pretreatment and/or O & M will be required to meet the Pretreatment Standards; the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard:

The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.)

2. No increment referred to in paragraph 1. shall exceed 9 months.
 3. Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the Superintendent.
- (j) Each product produced by type, amount, process or processes and rate or production;
 - (k) Type and amount of raw materials processed (average and maximum per day);
 - (l) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
 - (m) Any other information as may be deemed by the City to be necessary to evaluate the permit application.

The City will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the City may issue a Wastewater Contribution Permit subject to terms and conditions provided herein.

- (3) Permit modifications. Within 9 months of the promulgation of a National Categorical Pretreatment Standard, the Wastewater Contribution Permit of Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a User, subject to a National Categorical Pretreatment Standard, has not previously submitted application for a Wastewater Contribution Permit as required by (2), the User shall apply for a Wastewater Contribution Permit within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard. In addition, the User with an existing Wastewater Contribution Permit shall submit to the Superintendent within 180 days after the promulgation of an applicable Federal Categorical Pretreatment Standard the information required by Paragraphs (h) and (i) of Section (2).

- (4) Permit conditions. Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other applicable regulations User charges and fees established by the City. Permits may contain the following:
- (a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;
 - (b) Limits on the average and maximum wastewater constituents and characteristics;
 - (c) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
 - (d) Requirements for installation and maintenance of inspection and sampling facilities;
 - (e) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule;
 - (f) Compliance schedules;
 - (g) Requirements for submission of technical reports or discharge reports (see 11.16.052);
 - (h) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the City, and affording City access thereto;
 - (i) Requirements of notification of the City or any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
 - (j) Requirements for notification of slug discharges.
 - (k) Other conditions as deemed appropriate by the City to ensure compliance with this Ordinance.
- (5) Permits duration. All Wastewater Discharge Permits shall be issued for perpetual duration, subject to amendment or revocation as provided in section 11.16.005 of this Chapter.
- (6) Limitations on permit transfer. Users shall be issued Wastewater Discharge Permits for specific operation and are not assignable to another

Discharger without prior written approval of the City, or transferable to any other location. (Ord. 1151 S4.2, 1984)

11.16.052 Confidential information. Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs, and from inspections shall be available to the public and other governmental agency without restriction unless the User specifically request and is able to demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User.

When requested by the person furnishing a report, the portions of the report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this Ordinance, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any state Agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the City as confidential, shall not be transmitted to any governmental agency or to the general public by the City until and unless a ten-day notification is given to the User. (Ord. 1151 S4.6, 1984)

11.16.060 Cost and expense of connections. All costs and expenses incident to the installation and condition of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by said installation of the building sewer. (Ord. 1988-36 S4c, 1988; Ord. 557 S 7(c), 1964).